

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: Not-Yet-Assigned

Examiner: Not-Yet-Assigned

RECEIVED

NOV - 4 2002

TECHNOLOGY CENTER DOLLOW

267/032

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents Washington, D.C. 20231

In re the Application of:

Serial No.: 09/940,679

Filed: August 27, 2001

POSITIONING A PATIENT

For: APPARATUS AND SYSTEM FOR

Hassan Mostafavi

Sir:

In accordance with 37 CFR § 1.97 and 1.98, and, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO/SB/08A (08-00). Copies are enclosed for the convenience of the Examiner.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

CERTIFICATE OF MAILING TRANSMISSION

(37 C.F.R. §1.8)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposit with the Unites States Postal Services on the date shown below with sufficient postage as "First Class Mail" to addressee in an envelope addressed to the Commissioner for Patents, Washington, D.C. 202031

Maritza D. Kidd

Name of Person transmitting Paper

Signature of Person depositing Paper

52092820.1/18721-7048

October 28, 2002 Date of deposit

Information Disclosure Statement Filing Provision:

within three m filed under § 1 1.491; or (3) b	OS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) onths of the filing date of the application, which is not a continued prosecution application .53(d) or (2) within three months of entry of the national stage as set forth in 37 CFR § efore the mailing of a first Office action on the merits; or (4) before the mailing of a first office filing a request for continued examination under § 1.114. Thus, no fee is required.
	However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR §1.17(p) to the deposit account referenced below.
	However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.
	OS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR
	The fee due under 37 CFR § 1.17(p) is submitted herewith.
	A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.
§ 1.113 or a N	OS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR otice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A er 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted
CFR § 1.97 or	OS is being submitted under 37 CFR § 1.97(i); this IDS does not comply with either 37 § 1.98. Therefore it is requested to be placed in the file but not considered by the Patent ement under 37 CFR § 1.97(e) is included below.

Patent 264/032 18721-7048

	STATEMENT UNDER 37	7 CFR § 1.97(e):
Each	item contained in this IDS was first cited in	in any communication from a foreign patent office
in a counterpa	art foreign application not more than three	months prior to the filing of this IDS.
☐ No ite	em contained in this IDS was cited in a com	mmunication from a foreign patent office in a
counterpart fo	oreign application, and, to the knowledge or	of the person signing this statement after making
reasonable in	quiry, no item of information contained in t	this IDS was known to any individual designated
in 37 CFR § 1	1.56(c) more than three months prior to the	e filing of this IDS.
	PAYMENT AND/OR AUTHORIZA	ATION TO CHARGE FEES:
A che	eck in the amount of is enclosed for t	the above fee(s).
Please	e charge to Deposit Account No. 50-	2-1189 for the above fee(s).
☐ The C	Commissioner is authorized to charge any fe	fees required by the filing of these papers, and to
credit any ove	erpayment to Bingham McCutchen's Depos	osit Account No. 50-1189.
		Respectfully submitted,
		BINGHAM McCUTCHEN LLP
	(
Dated:/	1)-27-02 B	Ву:
		Peter C. Mei
		Reg. No. 39,768

BINGHAM McCUTCHEN LLP Three Embarcadero, Suite 1800 San Francisco, CA 94111-4067 (650) 849-4400

23639
PATENT TRADEMARK OFFICE

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

Complete if Known					
Application Number	09/940,679				
Filing Date	August 27, 2001				
First Named Inventor	Hassan Mostafavi				
Group Art Unit	Not-Yest-Assigned				
Examiner Name	Not-Yet-Assigned				
Attorney Docket Number	267/032				

			U.S. PATENT DOCU	MENTS		
	0.4-	U.S. Patent Document	Name of Patentee or Applicant	Date of Publication of	Pages, Columns, Lines, Where Relevant	
Examiner Initials *	No. ¹	Cite No. ¹	Number Kind Code ² (if known)	of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear
	1	5,389,101	Heilbrun et al	02-14-1995		
	2	5,603,318	Heilbrun et al	02-18-1997		
	3	5,784,431	Kalend et al	07-21-1998		
	4	5,836,954	Heilbrun et al	11-17-1998		
	5	6,146,390	Heilbrun et al	11-14-2000	Dn	
-	6	6,165,181	Heilbrun et al	12-26-2000	いたつと	
					No CET	
					NOV	
					4 200	
					TECHNOLOGY CENTER R	
					OLOGY COAR	
				-		
		<u> </u>				
<u>-</u>		<u> </u>				
					·	
,					·	

	FOREIGN PATENT DOCUMENTS							
Examiner	Cite	Foreign Patent Document		Name of Patentee	Date of Publication of	Pages, Columns, Lines, Where Relevant		
Initials* No.1		Office ³	Number ⁴	Kind Code ⁵ (<i>if known</i>)	or Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	Т ₆
		 	ļ	.				
								

Examiner Signature	Date Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark hee if English language Translation is attached.

NOV 0 1 2006 as each pe a plus sign (+) inside this box —> +

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031-U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/PTO

Sheet

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

2

Application Number 09/940,679

Filing Date August 27, 2001

First Named Inventor Hassan Mostafavi

Group Art Unit Not-Yest-Assigned

Examiner Name Not-Yet-Assigned

Attorney Docket Number 267/032

Complete if Known

OTHER DOCUMENTS - NON PATENT LITERATURE					
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²		
	7	FERENCE A. JOLESZ; "Image-Guided Procedures and the Operating Room of the Future"; Radiology; SPL Technical Report # 48; May 1997; 204; 601-612			
			/ N 0		
		NOV _			
		TECH INOLOGY C	4 2002		
	-		PATER AS		
· · · · · · · · · · · · · · · · · · ·					
		·			

Examiner	 Date	
Signature	Considered	

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.